IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

Tr.P(C).No. 167 of 2007

O.P(HMA).NO.459/2007 OF FAMILY COURT, MALAPPURAM.

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PETITIONER/RESPONDENT:

BABY GIRIJA,AGED 33,
D/O.P.K.GANGADHARA PANICKER, PALAKKOOT KALARIKKAL HOUSE, PAVUKONAM POST, VIA VANIAMKULAM, OTTAPALAM TALUK.

BY ADV. SRI.SANTHEEP ANKARATH.

RESPONDENT/PETITIONER:

K.K.VIDYADHARAN, S/O.BALAKRISHNA PANICKER,
AGED 48, KARYAVATTOM KALARI,
PATTIKKAD VIA, MANARMALA POST,
PERINTHALMANNA,MALAPPURAM DISTRICT.

BY

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISHNAN, J

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Tr.P.(C) No.167 OF 2007

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Dated this the 15th day of October 2007

JUDGMENT

This transfer petition is filed to transfer O.P.(HMA) No.459 of 2007 pending before the Family Court, Malappuram to the Family Court at Palakkad where M.C.No.204 of 2007 filed by the wife is pending. The above O.P.(HMA) is filed by the husband for restitution of conjugal rights. It is submitted that she is having three children and further nobody to accompany her and on account of the total negligence of the husband she is forced to file a petition for maintenance. Or, in other words, the grievance of the petitioner is that she has no financial resources and nobody to support her. Therefore the journey from Malappuram to Palakkad is not easy and it causes great difficulty to her. The respondent, though served, did not enter appearance. The averments in the petition remain uncontroverted.

In the light of the facts stated above, this is a fit case where transfer can be ordered. I, therefore, direct the Family Court, Malappuram to transfer O.P.(HMA)459/2007 pending before that court to the Family Court at Palakkad for trial and disposal along with M.C.No.204/2007. Since the

respondent has not cared to appear before this court, I direct the Family Court, Malappuram to issue notice to the respondent intimating about the transfer.

Tr.P.(C) is disposed of as above.

M.N.KRISHNAN, JUDGE

Cdp/-